

1 SENATE BILL NO. 252

2 INTRODUCED BY D. HOWARD, B. USHER, M. BLASDEL, K. BOGNER, B. BROWN, J. ELLSWORTH, C.
3 FRIEDEL, T. GAUTHIER, B. GILLESPIE, C. GLIMM, G. HERTZ, S. HINEBAUCH, D. KARY, B. KEENAN, T.
4 MANZELLA, T. MCGILLVRAY, B. MOLNAR, R. OSMUNDSON, K. REGIER, C. SMITH, G. VANCE

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6 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO JUDICIAL IMPEACHMENT;
7 PROVIDING A DEFINITION FOR "MALFEASANCE" IN A JUDICIAL SETTING; AND AMENDING SECTION 5-
8 5-401, MCA."

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10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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12 **Section 1.** Section 5-5-401, MCA, is amended to read:

13 **"5-5-401. Officers liable to impeachment.** (1) The governor, executive officers, heads of state
14 departments, and judicial officers are liable to impeachment for felonies and misdemeanors or malfeasance in
15 office.

16 (2) As used in this section, "malfeasance", when applied to a judicial officer, includes but is not limited
17 to exceeding the role of the judge as provided in 1-2-101, including inserting what has been omitted or omitting
18 what has been inserted in a judicial decision or order."

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